

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FILED
2017 JUN 12 PM 2:02
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

JOHN DUBISKY, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

STONEGATE MORTGAGE CORPORATION,
RICHARD A. KRAEMER, KEVIN BHATT,
JAMES G. BROWN, SAM LEVINSON,
RICHARD A. MIRRO, and SCOTT
MUMPHREY, HOME POINT FINANCIAL
CORPORATION, and LONGHORN MERGER
SUB, INC.

Defendants.

§
§
§
§ Civil Action No. 1:17-cv-478
§
§ NOTICE AND ORDER
§ CONCERNING PLAINTIFF'S
§ VOLUNTARY DISMISSAL OF THE
§ ABOVE ACTION AND
§ PLAINTIFF'S COUNSEL'S
§ ANTICIPATED APPLICATION FOR
§ AN AWARD OF ATTORNEYS'
§ FEES AND EXPENSES
§

Plaintiff John Dubisky ("Plaintiff") by and through his respective counsel of record, hereby provides notice and an order concerning Plaintiff's voluntary dismissal as follows:

WHEREAS, on February 28, 2017, Stonegate filed a proxy statement (the "Proxy Statement") with the United States Securities and Exchange Commission ("SEC") in connection with the proposed acquisition of Stonegate by Home Point Financial Corporation ("Home Point") whereby Stonegate's stockholders would receive \$8.00 in cash for each share of Stonegate common stock (the "Transaction");

WHEREAS, in connection with the Transaction, this putative class action complaint was filed in this District against the Defendants (the "Action");

WHEREAS, Plaintiff alleges, on behalf of a putative class of Stonegate's stockholders, that the Proxy Statement omitted certain material information relating to the Transaction in violation of Sections 14(a) and 20(a) of the Securities Exchange Act of 1934;

WHEREAS, on March 27, 2017, Stonegate filed with the SEC a supplement to the Proxy Statement containing additional disclosures relating to the Transaction (the “Supplemental Disclosures”);

WHEREAS, on April 27, 2017, Stonegate’s stockholders voted to approve the Transaction;

WHEREAS, Plaintiff agrees that, as a result of the filing of the Supplemental Disclosures, the claims arising from the Transaction identified in his complaint have become moot;

WHEREAS, Plaintiff asserts that the prosecution of the Action caused Stonegate to issue the Supplemental Disclosures and that Plaintiff’s counsel may assert a claim for attorneys’ fees and expenses in connection with the filing of the Supplemental Disclosures;

WHEREAS, Plaintiff intends to petition the Court to seek a resolution of his claim for such fees and expenses if his claim cannot be resolved through negotiations between counsel for Plaintiff and Defendants;

NOW, THEREFORE, Plaintiff hereby gives notice of Plaintiff’s voluntary dismissal, subject to the approval of the Court, as follows:

1. Plaintiff hereby voluntarily dismisses the above-captioned action, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1), and the action shall be so dismissed. The dismissal is as to the named Plaintiff John Dubisky only and has no effect upon the absent members of the putative class.

2. This Court shall retain continuing jurisdiction over the Parties solely for purposes of adjudicating any claim by Plaintiff’s counsel for an award of attorneys’ fees and expenses.

3. This Notice is not intended to, and shall not, waive or prejudice any right or argument that may be asserted or presented by Plaintiff or the Stonegate Defendants in support of or in opposition to any claim by Plaintiff for attorneys’ fees and expenses.

Dated: June 02, 2017

Respectfully submitted,

KARON LLC

/s/ Daniel R. Karon

Daniel R. Karon

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Counsel for Plaintiff

SO ORDERED:

Shirley S. Hight 6/12/17
U.S. DISTRICT JUDGE